17th March 1960]

SRI N. K. PALANISAMI : Sir, out of the experiments conducted so far, may I know to what extent menthol can be exploited for commercial purposes?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the experiments are not yet complete.

Arumugam Murder Case

* 454 *Q.*—SRI A. A. RASHEED : Will the Hon. the Minister for Home be pleased to state the reasons for not filing an appeal against the acquittal of accused Sri Natarajan and others, in Arumugham's death case?

THE HON. SRI M. BHAKTAVATSALAM : The Government have been advised that this is not a fit case for filing appeal against acquittal.

SRI A. A. RASHEED : Sir, may I know whether the acquitted persons have been reinstated?

THE HON. SRI M. BHAKTAVATSALAM : I would like to have notice.

SRI K. VINAYAKAM : Sir, does not the judgment delivered by the judge say that he was acquitted on grounds of 'benefit of doubt'? In these circumstances, do not the Government think that it is a fit case to go in for an appeal?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the Public Prosecutor has been consulted, and it is in accordance with his opinion that it was decided not to file an appeal. But if the hon. Member, who is himself a lawyer, can give me a note about his own legal opinion, I would consult the Advocate-General on it.

DEPUTY SPEAKER : Questions are over.

[*Note*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—PRIVILEGE MOTION *re.* A RESOLUTION PASSED BY THE MADRAS CORPORATION COUNCIL.

DEPUTY SPEAKER : Sri A. A. Rasheed has given notice of a privilege motion. He says—

" I hereby give notice of the following motion of breach of privilege :—

The Corporation of Madras at its meeting held on the 15th March 1960, has passed a resolution 'regretting the statements made by Messrs. C. Rajam Ramaswamy, K. S. G. Haja Sheriff and K. Vinayakam on the floor of the Legislative Assembly in regard to the administration of the Madras Corporation'. The speeches referred to were made by the Members concerned during the general discussion on the Budget for 1960–61 which is now going on. The mover of the resolution in the Corporation has stated, according to the report published in the *Indian Express*, dated Wednesday, 16th March 1960, that the concerned Members of the Legislative Assembly had 'misused the privileges they had as Members of the Legislature'.

[Deputy Speaker] [17th March 1960

According to Article 194 of the Constitution of India every Member has got freedom of speech in the Legislature and no Member of the Legislature of a State can be questioned even in a court for anything said in the Legislature. Casting aspersions against Members on account of their speeches in the Legislature by the Corporation of Madras, which is a creature of the Legislature, constitutes a breach of privilege. This may, therefore, be referred to the Committee of Privileges. I also enclose herewith the *Indian Express*, dated 16th March 1960."

9-30 a.m. SRI M. KALYANASUNDARAM : Sir, on a point of order. First of all, we are not informed who has given notice of the motion. . .

DEPUTY SPEAKER : Even in the beginning, I have stated that the hon. Member Sri Rasheed has given notice of the motion.

SRI M. KALYANASUNDARAM : All right. That is what I wanted to know by way of information. Now, my point of order is this. For raising a matter of breach of privilege, two ingredients are necessary. One is that it should be one of recent occurrence. No doubt, it is a matter of recent occurrence. Secondly, it should be raised at the earliest possible opportunity. This has happened two or three days ago and it was published yesterday. So, may I know whether the Deputy Speaker is of the view that it has been raised at the earliest possible opportunity.

DEPUTY SPEAKER : Yes. This motion was given to me yesterday itself. This will be taken up on Monday.

III.—NON-PUBLICATION IN THE NEWS PAPERS OF THE WITHDRAWAL OF CERTAIN REMARKS MADE BY A MEMBER.

THE HON. SRI C. SUBRAMANIAM : Sir, I would like to bring another matter to the notice of the House with regard to the publication in the newspapers of yesterday's proceedings. You may remember that the Leader of the Dravida Munnetra Kazhagam Legislature Party referred to my conduct in the Assembly. I put this specific question to him whether he was saying that my conduct was in contravention of any of the rules and regulations or the procedures laid down in the Assembly. First, he said, ' Yes '. That is why I raised a point of order and brought to the notice of the Chair that it would amount to casting reflection on the conduct of the Presiding Officer and the Leader of the Dravida Munnetra Kazhagam was good enough to withdraw all those remarks unconditionally. These were his words, ' I unconditionally withdraw all those remarks '. But, the papers have published a garbled version of this. The fact that he has unconditionally withdrawn certain remarks has not been published in the newspapers at all.

DEPUTY SPEAKER : I will look into the matter and give my ruling later.

Sri A. Govindasamy rose . . .